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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,766	09/17/2003	Tadashi Sasaki	P/1250-259	7983
2352 7590 06/13/2007 OSTROLENK FABER GERB & SOFFEN 1180 AVENUE OF THE AMERICAS NEW YORK, NY 100368403			EXAMINER ARANCIBIA, MAUREEN GRAMAGLIA	
			ART UNIT 1763	PAPER NUMBER
			MAIL DATE 06/13/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10666766	9/17/03	SASAKI ET AL.	P/1250-259

OSTROLENK FABER GERB & SOFFEN
1180 AVENUE OF THE AMERICAS
NEW YORK, NY 10036-8403

EXAMINER

Maureen G. Arancibia

ART UNIT	PAPER
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1763

20070608

DATE MAILED:

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Commissioner for Patents

The reply filed on 1 June 2007 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

Newly submitted claims 41-43 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

The invention of the newly submitted claims and the invention originally claimed are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another and materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the apparatus of the invention originally claimed can be used to practice another and materially different process, such as processing a substrate with a coating liquid rather than an organic material removal liquid, or processing a substrate while allowing light to pass into the process chamber.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 41-43 are directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

The amendment filed on 1 June 2007 canceling all claims drawn to the elected (originally claimed) invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention as discussed above.

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

pt
PARVIZ HASSANZADEH
SUPERVISORY PATENT EXAMINER